

**STIP**

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*Attorney for Defendant*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

\* \* \*

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JERMAINE SMITH,

Defendant.

APG  
CASE NO.: 2:12-cr-00004-~~MMD~~-GWF

**STIPULATION TO CONTINUE  
SENTENCING**

IT IS HEREBY STIPULATED AND AGREED, by and between JERMAINE SMITH, by and through JONATHAN POWELL, ESQ., counsel for the Defendant, and the UNITED STATES OF AMERICA, by and through KIMBERLY FRAYN, Assistant United States Attorney, that the February 26, 2015, sentencing, currently scheduled for ~~February 18, 2015~~, be moved for 30 days, or to a time convenient to this Honorable Court. If this Honorable Court is able to accommodate, the parties are jointly requesting a time after March 15, 2015 but before April 12, 2015 due to scheduling issues.

This stipulation is entered into for the following reasons:

1. Defendant and counsel need additional time to prepare for sentencing and to gather information.
2. Counsel for the Government does not object to Defendant's request for a continuance.
3. Defendant has no objection to a continuance of this matter. Defendant is in custody.

1           4. Denial of this request for continuance would result in a miscarriage of justice.

2           5. This request for a continuance is made in good faith and is not intended to delay the  
3           proceedings in this matter.

4           6. For all the above-stated reasons, the ends of justice would be best served by a  
5           continuance of the sentencing date.  
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8           DATED this 17th day of February, 2015.  
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10           /s/ Jonathan Powell  
11           JONATHAN POWELL, ESQ.  
12           Counsel for Defendant Smith

/s/ Kimberly Frayn  
                  KIMBERY FRAYN  
                  Assistant United States Attorney

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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

\* \* \*

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

JERMAINE SMITH,  
Defendant.

CASE NO.: 2:12-cr-00004-MMD -GWF

**ORDER GRANTING PRE-TRIAL  
RELEASE**


**FINDINGS OF FACT**

1. Defendant and counsel need additional time to prepare for sentencing and to gather information.
2. Counsel for the Government does not object to Defendant's request for a continuance.
3. Defendant has no objection to a continuance of this matter. Defendant is in custody.

**CONCLUSIONS OF LAW**

1. Denial of this request for continuance would result in a miscarriage of justice.
2. This request for a continuance is made in good faith and is not intended to delay the proceedings in this matter.
3. For all the above-stated reasons, the ends of justice would be best served by a continuance of the sentencing date.

IT IS HEREBY ORDERED: Sentencing and disposition is continued to April 9, 2015 at 9:00 a.m., Courtroom 6C.

  
UNITED STATES DISTRICT JUDGE  
DATED: February 17, 2015